



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,666	01/13/2004	Petrus Marinus Christianus Maria Van Der Biggelaar	081468-0307562	9618

909 7590 06/14/2005

PILLSBURY WINTHROP SHAW PITTMAN, LLP
P.O. BOX 10500
MCLEAN, VA 22102

EXAMINER

KIM, PETER B

ART UNIT PAPER NUMBER

2851

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

54

Office Action Summary	Application No. 10/755,666	Applicant(s) VAN DER BIGGELAAR ET AL.	
	Examiner Peter B. Kim	Art Unit 2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

Claim 10 is objected to because of the following informalities: “beam based a scanning speed” seems to be a typo. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-27 are rejected under 35 U.S.C. 102(a) as being anticipated by Ishikawa et al. (Ishikawa) (2003/0197849).

Ishikawa discloses a device manufacturing method and a lithographic and apparatus comprising an illumination system (16), a support structure (RST) to support a patterning device (R), a substrate holder (WST) to hold a substrate (W), a scanning mechanism (49, 56) and a modulator (50) to modulate an attribute of the patterned beam based on a scanning speed signal of the speed of the patterned beam (para 0135-0136). Ishikawa discloses the modulated attribute comprising effective power of the patterned beam, light source, a repetition rate (para 0136), a variable attenuator (para 0171) and modulating the width of a slit of the projection system (30A, 30B). Ishikawa also discloses first and second limiting element (30A) for forming a slit, and driving mechanism (30B). Ishikawa discloses a device manufacturing device modulating an attribute of the patterned beam based on a scanning speed of the beam (para 0135-0136).

Art Unit: 2851

Claims 1-27 are rejected under 35 U.S.C. 102(a) as being anticipated by Imai et al. (Imai) (2003/0035090).

Imai discloses a device manufacturing method and a lithographic and apparatus comprising an illumination system (1, 2), a support structure (13) to support a patterning device (R), a substrate holder (21) to hold a substrate (W), a scanning mechanism (17, 25) and a modulator (16) to modulate an attribute of the patterned beam based on a scanning speed signal of the speed of the patterned beam (para 0113). Imai discloses the modulated attribute comprising effective power of the patterned beam, light source, a repetition rate (0113), a variable attenuator (18) and modulating the width of a slit of the projection system (11, 7). Imai also discloses first and second limiting element (11, 7) for forming a slit, and driving mechanism (18). Imai discloses a device manufacturing device modulating an attribute of the patterned beam based on a scanning speed of the beam (para 0113).

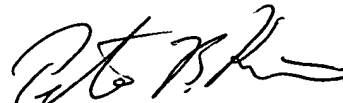
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter B. Kim whose telephone number is (571) 272-2120. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2851

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Peter B. Kim', is positioned above the printed name.

Peter B. Kim
Primary Examiner
Art Unit 2851

June 11, 2005